A LETTER TO *Mr.* SAMUEL JOHNSON,

Occaſioned by a ſcurrilous Pamphlet, intituled, *Animadverſions on Mr.* Johnſon's *Anſwer to* Jovian, *in three Letters to a Country-Friend.*

At the End of which is reprinted the Preface before the Hiſtory of *Edward* and *Richard* the Second, to the end every thing may appear clearly to the Reader, how little of that Preface has been anſwered.

Both written by the Honourable

Sir ROBERT HOWARD.

London, Printed for Thomas Fox, at the Angel in *Weſtminſter-Hall*, 1692.

A

LETTER

TO

Mr. Samuel Johnson,

Occasioned by a scurrilous Pamphlet, intituled, *Animadversions on Mr. Johnson's Answer to Jovian, in three Letters to a Country Friend.*

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A LETTER TO Mr. *JOHNSON.*

SIR,

THE cauſe of my writing this to you, ariſes from a Pamphlet lately come forth, called, *Animadverſions on your Anſwer to* Jovian, *in three Letters to a Country-Friend.* There is a kind of a Preface before them, which almoſt wholly concerns me. The firſt Diſpleaſure he is pleaſed to ſhew towards me, is mingled with a pretended Sorrow, that I ſhould ſo abſolutely reſign my Judgment to a fond Paſſion for you. None ſure but a nameleſs Author, would have ventur'd to ſuch a Liberty as he has ta-

ken, to allow me no uſe of Judgment, and to charge me with want of Morals and Religion; how juſtly, I ſhall make appear hereafter. And I hope the impartial Reader will believe that I uſe my Reaſon and Judgment, when I own the continuance of my great Eſteem of your defending a Cauſe ſo ably, for which you ſuffered ſo barbarouſly. And of all Men that ever diſcovered himſelf by writing, this furiouſly-paſſionate and nameleſs Author, would have the leaſt power to convert me from the eſteem of any thing; for ſuch falſe and foul Scandals as he liberally ſcatters, will rather give an eſteem of what he diſlikes, than perſwade any one from what he valued before.

I will not repeat his confident Harangue of *ſeeing with other Mens Eyes*, and *hearing with other Mens Ears*; I will only aſſure him, that what Errors are committed are all my own: And according to his random ſhooting, he ſays you made Collections for me, and with little Fidelity: And in another place ſays, I knew that *Julian* and its Defence, were both made

made by a Club, and that Mr. *Hunt* and Mr. *Atwood* were the Furniſhers of the moſt conſiderable Reflections upon *Jovian*.

I confeſs I never met with ſuch an audacious Confidence: You know, Sir, I was never acquainted with you till ſome time after this Revolution, and could not give you the trouble of any Aſſiſtance, which if I had received, I ſhould perhaps have appeared with more advantage: and for Mr. *Hunt* and Mr. *Atwood*, I was never acquainted with them, or any thing they did. But there is more of this confident Stuff, which I ſhall take notice of in their proper Places.

The firſt particular Charge againſt me is, That *I had not read* Jovian *thorow*; and then (as it is printed) ſays, if I had, *I would have failed to obſerve the vaſt difference between calling Laws which ſecure the Rights of the Crown, Imperial Laws, and aſcribing to our Kings Imperial Power*. I believe it ſhould have been printed, *I would not have failed*, &c. but this way is much more true and natural: for I believe there are very few but would

have failed, had they read *Jovian* through, to be inſtructed by this nice piece of Non-ſenſe: For after the diſtinction of Political and Imperial Laws, the Abſurdities follow very thick; and to help the Diſtinction, it muſt be diſtinguiſh'd between the Eſſence of Imperial and Soveraign Power, or the Exerciſe and Emanation of it; *As to the Being and Eſſence of it, it is in as full perfection in the Limited as in the Arbitrary Soveraign, though the Law confines him in the Exerciſe thereof.* I confeſs I could never make ſenſe of theſe Diſtinctions, nor underſtand how Power arbitrary, and in full perfection, can be limited, when ſuch a Power may chooſe whether it will be limited or no: but for this I refer it to your Anſwer to *Jovian*, pag. 183.

Jovian, pag. 211.

But after this he proceeds more loftily, and ſays, I ſtain my Honour by that unjuſt Charge on Dr. *Hicks*, ſaying, *That Imperial Power may make a lawleſs Attempt lawful.* In my Preface I ſay, if Dr. *Hicks*'s Diſtinction be brought in aid, (I mean then) that Imperial Power may make a lawleſs Attempt

Attempt lawful, I do not charge the Doctor with meaning it, but his Diſtinction makes it appear ſo: for I confeſs in all thoſe Diſtinctions and Niceties of Political and Imperial Laws, which are no-where written or to be found, of Power abſolute and full, and yet limited, I could never gather any meaning, and therefore had been unjuſt to pretend to charge the Doctor with any.

Dr. *Hicks* ſays, *The Laws of all Governments allow every Man to defend his Life againſt an illegal Aſſaſſin*; but in the next Page ſays, *But to reſiſt Aſſaſſins (an Army) ſent by the King, is a Tranſgreſſion of the Imperial Laws.* Certainly if it be lawful to reſiſt an illegal Aſſaſſin, and not lawful to reſiſt Aſſaſſins ſent by the King, it appears then that they are not illegal, and conſequently what they do, becomes lawful: for what can appear more ridiculous than to ſay there is a Law, that cannot make it lawful for thoſe that act by it, and yet can make it lawful for thoſe that reſiſt them? I confeſs I never met with any thing like this Deſcription of an Imperial Jovian, p. 274.

Law, unleſs the Character that *Lungs* gives the Philoſophers Stone in the *Alchymiſt*, that 'tis a Stone, and not a Stone. I cannot now make a juſt return to the nameleſs Author, by charging him that he has ſtain'd his Honour or his Reaſon; for I do not find he has enough of either, to bear a Spot or Stain.

His next Snap is at my Quotations of Proteſtant Writers which favour the Doctrine of Reſiſtance; and concludes, *That he knows not how ſuch Collections make for their Majeſties Service, and the Honour of the Reformation, it's poſſible this Noble Author doth.*

In the firſt place, I will ſhew how he has uſed me about Quotations: True, there are two Miſtakes in the printing; one is *Thomas* for *Chriſtopher Goodman*, the other is *Calvin* upon *Daniel, chap. 6.* which ſhould be *chap. 4. ver. 25.* I will now ſet down without the help of *Philanax Anglicus*, (a Book I never ſaw) the two Quotations of *Calvin* and *Zuinglius.*

Calvin. in Dan. 4. 25. *Quid enim valet ſæpe in Regum & Principum titulis Dei gratia? Nempe*

ne

ne agnoſcant Superiorem quemadmodum dicunt; Interea Deum, cujus clypeo ſe protegunt, calcarent pedibus: tantum abeſt, ut ſerio reputent ſe habere ejus beneficio ut regnent. Merus igitur fucus eſt, quod jactant ſe Dei gratiâ pollere dominatione.

Quando vero Reges perfidè & extra regulam Chriſti egerint, poſſunt cum Deo deponi. Zuinglius, Tom. 1. Art. 42.

Quod deponi ab Officio poſſint, Saulis exemplum manifeſtè docet, quem abjecit Deus, tametſi primum in Regem deſignâſſet, 1 Reg. 15, & 16.

Quin dum flagitioſi Principes & Reges loco non moventur, totus Populus à Deo punitur.

Mihi ergo compertum non eſt, unde hoc fit ut Regna per ſucceſſiones, & quaſi per manus tradantur, niſi hoc publico totius populi conſenſu fiat.

Quùm verò conſenſu & ſuffragio totius, aut certè potioris partis multitudinis, Tyrannus tollitur, Deo ſit Auſpice.

Non deſunt viæ per quas Tyrannus tollatur, ſed deeſt publica Juſtitia.

As to that of *Peter Martyr*'s Opinion, he is pleaſed to tell me the words that induc'd me to ſay that *Peter*

Martyr approved the Procceedings againſt *Richard* the 2*d*; but his Confidence miſguides him in this as well as the reſt: His Words are theſe.

Pet. Mart. in Jud. c. 3. *Qui Principem Reipublicæ præficiunt certis Legibus, iis profectò licet, ſi Princeps pactis & promiſſis non ſteterit, eum in ordinem cogere ac vi adigere ut conditiones ac pacta quæ fuerat pollicitus compleat, idque vel armis, cum aliter fieri non poſſit. Hoc pacto Romani Conſulem interdum, quem ipſi creârunt, abdicare ſe cogerunt. Dani ſuum Regem noſtrâ ætate dejecerunt, atque captivum diutius habuerunt. Polydorus Virgilius tradit Anglos aliquando ſuos Reges compuliſſe ad rationem reddendam pecuniæ malè adminiſtratæ.*

This Opinion of *Peter Martyr*'s agreeing with the caſe of *Richard* the ſecond, and at the ſame time quoting *Polydore Virgil*, who writ upon that unfortunate King, made me ſay that *Peter Martyr* approved the Proceedings againſt him.

If now this nameleſs Author will give me leave to uſe Admiration as he has done, I think I may juſtly wonder how any Man could uſe ſuch unne-

unneceſſary Malice, grounded upon ſo little Truth! but 'tis his way to avoid Argument, and bite at every thing elſe, to do another prejudice, and his Cauſe no good. I have ſeen an angry Cur bite at the motion of a Wheel, and only hurt his own Teeth.

Beſides, had he been pleaſed to have obſerved any thing with Moderation, he would have ſeen in my Preface, that I did not quote them with any particular deference, or uſe to my Diſcourſe, but only becauſe Dr. *Hicks* ſo often quoted *Bochart* a Reformed Divine; and there I expreſly ſay, that I depend not on telling Noſes, and therefore only give them a place in the Margent, that they might not interrupt my Diſcourſe: but when I paid a particular deference to a Quotation, as that of Mr. *Hooker* one of the moſt eminent Divines that ever flouriſh'd in the Church of *England*, I then inſerted it into the Body of my Diſcourſe, and uſed it as a Foundation to build on.

But this Gentleman, liberal of Affirmatives, having ſaid that the Quotations

tations of *Zuinglius* and *Calvin* were borrowed from *Philanax Anglicus* a Jeſuit, makes it proper for me to skip to another Paſſage reſembling this, that I may bundle up ſome of his bold Untruths together: for a little after continuing his invective Fancy, how dangerous it was to truſt other Mens Collections, excuſes me for having had ſome temptation to truſt being obliged to an honeſt *Sorbon* Doctor *Launoy, de variâ Ariſtot. in Academ. Pariſ. Fortuna*, as he cites it, for a true account of the various Decrees for and againſt *Ariſtotle* in the Univerſity of *Paris*; which makes as handſom an appearance as any thing in my Book.

This Account of the Progreſs of the Philoſophies of *Plato* and *Ariſtotle*, is in the introductive part of the Hiſtory, not in the Preface: and ſince he ſeemed to give that Diſcourſe ſome faint Allowance, I could not but wonder why he leap'd ſo far out of his way for a ſnap; the Words are theſe;

'When the Occaſion was ready for 'it, the puzzling Parts of *Ariſtotle*'s 'Philoſophy were found uſeful; and 'among

'among all his dark Subtilties, none 'more convenient than that of ſepa-'rated Eſſences, which were Beings 'where no Being was; and the only 'proper Notion to find out a Place for 'Purgatory, and ſeemed alſo very uſe-'ful to ſupport the hard Point of 'Tranſubſtantiation, where there ap-'pears a Subſtance that muſt not be 'believed to be there, and another 'believ'd to be there that is not at all 'to be perceived.

I confeſs I thought at firſt that the occaſion of this Snarl had been only to make a diſcovery of the Author I had been beholden to, (as his uſual peremptory venture is) but I conſi-dered he could not be ſo unreaſonable as to think it would be a blemiſh to me to uſe an Author, eſpecially an honeſt one, as he ſays this was; for ſure 'tis not to be ſuppoſed that I could make that Diſcourſe without the uſe of more Authors than one, though it ſeems unknown to this adventurous Author: But reading a little after, I found his Diſpleaſure broke out in theſe Words.

'I

'I cannot forbear ſmiling at theſe 'pleaſant Gentlemen, who have ſo 'extravagant an Opinion of Mr. *J*'s 'Performance and Merit; nor can I 'envy him ſuch Applauſes, as ſhew 'ſome little Wit, but no Judgment. 'Thoſe merry Gentlemen too much 'deſpiſe the dark Subtilties of *Ari-* '*ſtotle* to be competent Judges of the 'Merit of this Cauſe: their Heads 'lie readier to take a Jeſt than an 'Argument.

I did not expect ſo good a Jeſt from this angry Gentleman. The cauſe that he aſſigns for want of Judgment, is the deſpiſing (that is, not underſtanding) the dark Subtileties of *Ariſtotle*, without which none can be competent Judges of the Merit of this Cauſe: and I agree wholly with him, that *Ariſtotle*'s dark Subtilties of a Being where no Being is, and the equal dark Subtilty of an Imperial Law where no Law is, are likely to be underſtood together.

But I hope he is not angry that the ſame Gentlemen deſpiſe Tranſubſtantiation for depending on the ſame dark Subtilties; nor will continue his

his Smiles at thoſe that eſteem that incomparable Performance of yours, *The abſolute Impoſſibility of Tranſubſtantiation demonſtrated*; if he ſhould, he would very much increaſe the reaſon he has given to be laugh'd at himſelf.

As for his two Authors, *Philanax Anglicus*, and his honeſt *Sorbon Doctor*, I ſolemnly proteſt I never read, nor to my knowledg ſaw one of them. So to ſum up this Scribler's bold Untruths, he ſays, *I have not read* Jovian *thorow*, which I have done; and ſays, *I have read thoſe two Authors*, which I have not done: and I ſubmit it to Judgment how little Truth there is in him.

But at the latter end of the Paragraph, he wonders what reaſon I had to bring afreſh on the Stage ſuch Paſſages as thoſe of *Calvin*, &c. and then pretends a publick Concern, and ſays he knows not how ſuch Collections make for their Majeſties Service, and the Honour of the Reformation; perhaps [ſays he] the noble Author doth.

I gave an account before for what reaſon I quoted thoſe Reformed Divines,

vines, only becauſe in *Jovian*, *Bochart* was ſo often cited; but I made no uſe of them in my Diſcourſe, but I did of Mr. *Hooker*, an eminent Divine of the Church of *England*: ſo that my nameleſs Author ſhould have asked the queſtion why I us'd thoſe Paſſages of his. But I will ſtate the matter fairly, and then his meaning runs thus, I know not how theſe Arguments againſt *Non-Reſiſtance* and *Paſſive Obedience*, can make for their Majeſties Service, and the Honour of the Reformation; it's poſſible the noble Author doth.

I readily anſwer him, That I think I do, and ſhall endeavour to demonſtrate it: But firſt give me leave to be a little ſurpriz'd that Dr. *Hicks* or his Friend, (who 'tis likely are the ſame in Principle, if not in Perſon) ſhould be concerned for their Majeſties Service, or the Safety and Honour of a Government, which Dr. *Hicks* Renounces: and tho it ſeems he could not with a ſafe Conſcience officiate in his Calling under an Unlawful Power, made ſo by virtue of the Doctrine of *Paſſive Obedience*; yet,

he

he ſays, he underſtands not how the oppoſition to this Doctrine can be for the Service of the Government. This is a ſtrange Riddle, that the Doctrine of *Paſſive Obedience* made Dr. *Hicks* againſt the Government, and yet he underſtands not how the Oppoſition of that Doctrine can be for the Service of it.

But leaving theſe Contradictions, I will endeavour to ſhew him, I do underſtand upon what Foundation this Government, and the Safety and Honour of it ſtands. Perhaps he hopes it cannot be made out; and then it would be great rejoicing for Men of thoſe enſlaving Principles to ſee, that though we were freed from Popery and Slavery, which that Betraying Doctrine prepared for us; yet were ſtill in the Condition of Slaves by the Power of Conqueſt. This has been boldly aſſerted by ſome Pens; but I leave it to you, Sir, to give this Opinion its due Correction, as you have promiſed in two of the Obſervators: And I doubt not but all true Engliſhmen will fully perceive this horrible Attempt againſt their Honour and

Free-

Freedom, to ſee Endeavours uſed to turn that into Slavery, that was the Means to free us from it.

I ſhall now proceed to ſhew what I promiſed, and ſhall readily confeſs that I do not think the Principles I aſſert are for the Safety of one of Dr. *Hicks*'s complicated Tyrants, but they may be for a good Prince that oppoſes Tyranny. 'Twas againſt theſe Principles that the Nation implor'd and obtain'd Relief, and according to their Original Right, fix'd the Crown on their Reliever's Head.

In the Prince of *Orange*'s Declaration 'tis declared, "The King cannot "ſuſpend the Execution of Laws, un-"leſs it is pretended that he is clothed "with a Deſpotick and Arbitrary "Power, and that the Lives, Liber-"ties, Honours and Eſtates of the "Subjects depend wholly on his good "Will and Pleaſure. *And towards the end expreſly declares*, "That his "Deſign was to prevent all thoſe Mi-"ſeries which muſt needs follow up-"on the Nation's being kept under "Arbitrary Government and Slave-"ry; and that all the Violences and

"Diſ-

" Diſorders which have overturned " the whole Conſtitution of the Eng- " liſh Government, may be fully " redreſs'd in a Free and Legal Par- " liament.

His additional Declaration is only to ſhew how clear he was in theſe Principles, by taking occaſion from ſome Reports ſpread about, that he intended to conquer and enſlave the Nation: He there declares again, " the Deſign of his Undertaking was " to procure a Settlement of the Re- " ligion, and the Liberties and Pro- " perties of the Subjects, upon ſo " ſure a Foundation, that there might " be no danger of the Nation's re- " lapſing into former Miſeries; and " that the Forces he brought with " him, were utterly diſproportioned " to that wicked Deſign of conquer- " ing the Nation, if he were capable " of intending it. *Adding a little af- ter*, " That it was not to be imagined " that thoſe that invited him, or thoſe " that were already come in to aſſiſt " him, would join in a wicked De- " ſign of Conqueſt, to make void " their own lawful Titles to their

" Honours, Eſtates and Intereſts.

Thus, contrary to the Doctrine of *Paſſive Obedience*, the Foundation was laid for the Honour and Safety of the Government, upon a Free Parliament, which is the People there repreſented. Accordingly when by the unanimous Aſſiſtance and Conſent of the Nation, the Prince of *Orange* came to *London*, a Convention was called, which aſſembled *Jan.* 22. $168\frac{8}{9}$. After many Debates in both Houſes about the Abdication of the Government, and the Vacancy of the Throne, the Houſes on the 12*th* of *February* fully agreed to a Declaration; in which having enumerated the Particulars whereby King *James* did endeavour to ſubvert and extirpate the Proteſtant Religion, and the Laws and Liberties of this Kingdom, whereby he had abdicated the Government; the ſaid Lords Spiritual and Temporal, and Commons, being now aſſembled in a full and free Repreſentative of this Nation, do in the firſt place, (as their Anceſtors in like caſe have uſually done) for the vindicating and aſſerting their ancient Rights and Liberties, Declare, *&c.* And

And then proceed to enumerate the Particulars in which they are comprehended, which they claim and demand as their undoubted Rights and Liberties.

To which Demand of their Rights, they ſay, they are particularly encouraged by the Declaration of his Highneſs the Prince of *Orange*; *Having therefore an entire Confidence that his ſaid Highneſs the Prince of* Orange *will perfect the Deliverance ſo far advanc'd by him*, &c.

The Lords Spiritual and Temporal, and Commons aſſembled at Weſtminſter, *do reſolve, That* William *and* Mary, *Prince and Princeſs of* Orange, *be, and be declared King and Queen of* England, France *and* Ireland, *and the Dominions thereunto belonging.*

On the 15*th* of *February* his Majeſty ſpoke thus to both Houſes.

My Lords and Gentlemen;

"This is certainly the greateſt "Proof of the Truſt you have in Us "that can be given, which is the "thing that maketh Us value it the "more: And we thankfully accept

" what you have offered. And as I
" had no other Intention in coming
" hither, than to preſerve your Reli-
" gion, Laws and Liberties; ſo you
" may be ſure that I ſhall endeavour
" to ſupport them, and ſhall be wil-
" ling to concur in any thing that
" ſhall be for the Good of the King-
" dom, and to do all that is in my
" power to advance the Welfare and
" Glory of the Nation.

And in his Anſwer, the fifth of *March* $168\frac{8}{9}$, to the Addreſs of the Lords Spiritual and Temporal, and Commons aſſembled in Parliament, he uſes theſe Expreſſions.

" I came hither for the Good of
" the Kingdom, and 'tis at your De-
" ſire that I am in this Station: I
" ſhall purſue the ſame Ends that
" brought me.

I hope by this Account I have ſhewed my nameleſs Adverſary, that the Safety and Honour of this Government was procur'd and founded againſt his Principles of *Paſſive Obedience*, which had they been as ſacredly obſerv'd as he would have them, our Redemption had never been

been effected, and perhaps he had been better pleaſed. However he pretends to be concerned for the Honour and Safety of a Government, which is founded and ſettled, contrary to his Imperial Principles, upon that ſure and happy Conſent, that the Laws, Liberties and Properties of the Nation were not to be violated by any pretence of Power: 'tis this true Underſtanding, and undivided Intereſt of the King and People, that muſt ſecure and preſerve the Honour and Safety of the Government; and the ſhaking of both muſt always proceed from the temptation and apprehenſion that Paſſive Obedience and the Imperial Law muſt infuſe into the King and People.

The next Dirt he would throw upon me is by a Side-wind, and performed with as little Dexterity as the reſt of his random-Flings; his Words are theſe.

'I think he is as little obliged by a 'third Perſon, who eaſed him of the 'drudgery of turning the Bible for 'Scripture-Examples of the Original 'Contract: for had Sir *R. H.* uſed his

'own Eyes in the ſearch, he would 'have ſeen that the Inſtances of *David* 'and *Jehoiada* are no proofs that they 'were *Pacta conventa*, &c.

Here he ſtill perſiſts in his uſual Confidence, to tell me I have not read what I have read; for I did uſe my own Eyes, and never the aſſiſtance of a third Perſon: but he is pleaſed to call turning the Bible (I ſuppoſe he means reading it) *a Drudgery*: he would not own, I believe, that he thinks reading or ſearching the Scripture a Drudgery; but I ſuppoſe (by his uſual uncharitable Methods) he would have it believ'd that I do. If he means it of himſelf, I ask him pardon for being ſo charitable to him; if he would fix it on me, 'tis certainly one of the moſt uncharitable and groundleſs Scandals his Paſſion could have invented; and at the ſame time gives himſelf a Character more like a *Member* of the *Inquiſition*, than of the *Church* of *England*, who endeavour without proof or reaſon to raiſe Scandal and Perſecution; which Method this nameleſs Gentleman has practis'd with as much uncharitable Violence,

as

as any of thoſe fierce pretenders to Religion have uſually done.

But, without thinking it a Drudgery, I will uſe my own Eyes, and cite ſome Verſes of Scripture: The firſt, when *David* had feaſted *Abner*.

Abner *ſaid unto* David, *I will ariſe and go, and will gather all* Iſrael *unto my Lord the King, that they may make a League with thee, and thou mayeſt reign over all that thy Heart deſireth.* 2 Sam. 3. 21.

Here it ſeems a League was thought neceſſary, that the King might reign.

According to this, *all the Elders of* Iſrael *came to the King in* Hebron; *and King* David *made a League with them in* Hebron *before the Lord, and they anointed* David *King over* Iſrael. 2 Sam. 5. 3.

And in another place, *Therefore came all the Elders of* Iſrael *to the King to* Hebron, *and* David *made a Covenant with them in* Hebron *before the Lord; and they anointed* David *King over* Iſrael, *&c.* 1 Chron. 11. 3.

And Jehoiada *made a Covenant between him, and between all the People, and between the King, that they ſhould be the Lord's People.* 2 Chron. 23. 16.

And 'tis yet more diſtinctly ſet down in another Place.

2 Kings 11. 17. *And* Jehoiada *made a Covenant between the Lord and the King and the People, that they ſhould be the Lord's People; between the King alſo and the People.*

I hope now my angry Enemy will give me leave to ſay I have uſed my own Eyes, and find his very dim, or elſe will not ſee the plaineſt Words, if againſt his Humour.

But to invalidate theſe Proofs, he objects, That we read of no Covenant made with the Men of *Judah*, who anointed him King immediately on *Saul*'s Death.

2 Sam. 2. 4. *And the Men of* Judah *came to* Hebron, *and there they anointed* David *King over the Houſe of* Judah.

I know not how he would uſe this, unleſs he means that becauſe a Covenant was not expreſs'd here, therefore there was none ſpoke of any where elſe: it may rather imply that there was ſuch a thing, becauſe the People aſſembled, as they us'd to do at other times, when a Covenant was made. But I trouble my ſelf needleſly with

ſuch

ſuch a frivolous ſhew of an Argument, and with his ridiculous Attempt, by his own notional Commentaries, to try to puzzle the clear Inſtances of *David* and *Jehoiada*, telling us that *David*'s Covenant with the Elders was a plain Treaty of Peace, and that *Joaſh* was under Age, and therefore uncapable of contracting for himſelf, though the Scripture does ſay directly that a Covenant was made between the King and the People. But all that can be ſaid is, that the Scripture differs from his Opinion; but 'tis enough that here 'tis expreſly ſhewed, that the People were made Parties. But this nameleſs Author might have ſpared theſe weak Endeavours, and uſed the Diſtinction (that helps at all needs) of Political and Imperial Law, and then he needs not fear to allow theſe to be Covenants according to the Political Law, ſince by the Imperial Law, the King may chooſe whether they ſhall be valid or uſeful; and ſo there needs no diſpute whether a Covenant be a Covenant or no, which indeed was all the Queſtion here.

His

His next Aſſault proceeds in the method of an Inquiſitor, in theſe Words.

'I might obſerve to you how little 'Reverence Sir *R.* diſcovers for Chri-'ſtian Religion; and amidſt all his 'Zeal for it, takes the liberty to make 'ſport with the Baptiſmal Vow, and 'calls the dreadful Judgment, which 'muſt paſs on Kings as well as their 'meaneſt Subjects, a pretended Ac-'count to be made up only with God.

The nameleſs Author has pull'd theſe two Places together, to make an accumulative Charge; but that of the pretended Account is at the latter end of my Preface, and I ſhall give a ſeparate account of it.

But firſt give me leave to obſerve to you, how maliciouſly he endeavours to gain a belief of his own Truth and Ability, that he could make appear how little Reverence I diſcover for Chriſtian Religion.

I appeal to any that has peruſed how this Gentleman (if he be one) has treated me, whether they can believe that he would admit any thing that might fix the deepeſt Scandal upon

upon me; and if he could have made evident what he would have others believe he could, he would certainly have changed his Stile, and inſtead of *I might*, he would have ſaid, *I will now obſerve to you how little Reverence Sir* R. *diſcovers for Chriſtian Religion*, &c. But this is ſuitable to his Method of ſhewing that his Malice exceeds his Underſtanding.

But to make this appear yet more clearly, I will ſet down this Paſſage in my Preface, in which he pretends he might find out that I make ſport with the Baptiſmal Vow. In that Place taking notice how Dr. *Hicks* having muſter'd up many Tyrants to mould into one King, yet affirms that ſuch an Idolater and complicated Tyrant is not capable to do ſo much Miſchief, as oppoſing him will cauſe: upon which I made this Reflection.

'He could have invented but one 'Strain higher for the Cauſe of *Paſ-* 'ſive Obedience, by adding the *Devil* 'to the *Idolater* and complicated *Ty-* 'rant, and then our *Paſſive Obedience* 'would have taught us to ſubmit to 'what in Baptiſm we promiſed, to

'fight

'fight againſt, *the World*, *the Fleſh*, 'and *the Devil*: and the Poſition 'holds as true in relation to Him, as 'ſuch a Prince, that it would be the 'cauſe of more Miſchief to oppoſe 'the Devil, than to ſubmit to him.

I cannot imagine how this Gentleman out of theſe Words could pretend to find the leaſt cauſe for his rancorous Inſinuation, that I ſhould make ſport with that Baptiſmal Vow, which with a ſerious Reverence I make the Obligation of a juſt and equal Oppoſition againſt the Idolater, and ſuch a complicated Tyrant, and the Devil; believing the Argument all one to ſay, that to oppoſe ſuch an Idolater and complicated Tyrant, may be of greater Miſchief than to ſubmit to him, as to ſay, that to oppoſe the Devil by Prayers, may provoke him to more Miſchief than he intended: and I ſee little difference in oppoſing the Devil, and ſuch a complicated Tyrant, that acts according to his Inſtigation: the Juſt may depend on their Mercy alike, and the Bad ſhall be ſure of their equal Favour.

The

The Paragraph which mentions a pretended Account, in the latter end of the Preface, runs thus.

'By this Religious Duty of Paſſive 'Obedience equally paid to juſt and 'unjuſt, legal and illegal Power, the 'Sacrifices offered to God, are the 'perſwaſion to Tyranny, the ſecuri-'ty of Miſchief, the encouragement 'of Sin, the deſtruction of good Men, 'and the preſervation of the Bad. 'Laſtly, the juſtifying of Wrong by 'Divine Right, and a Pretended Ac-'count to be made up only with God, 'to defraud his People of their juſt 'Rights here.

I ſubmit this alſo to any reaſonable Man to judg, what cauſe was given him by theſe Words for a Reflection of ſo high a nature. But he ſays, he hopes this laſt was rather the Infelicity of my Pen, than any bad Meaning. I wonder he ſhould pretend to excuſe me from any bad Meaning, after he had charged me with making ſport with the Baptiſmal Vow. But if I ſhould apply what he ſays to any ſort of Infelicity in him, it muſt be to that violent and perſecuting Humour

mour that has governed too much in our late unhappy Times.

The Words themſelves I hope need no Explanation; for they ſpeak only of an Account to be made up by wicked Men and Tyrants, which certainly can deſerve no other Name than a pretended Account: ſome of them may perhaps be ſuch Fools as to ſay in their Hearts, *There is no God*, and their Account can only be pretended: but for others, that may perhaps believe there is a God, and yet act contrary to his Laws, and the Duty they owe to that all-ſeeing Power, 'tis certain they can never believe that they are able to make up an Account with him, though they may pretend to make one.

But to put it more familiarly; Suppoſe the preſent French King (according to this uſeful Doctrine for him) ſhould declare that his unlimited Tyranny in this World was not to be reſiſted, and give the Reaſon for it, That he was to make up an Account only with God; Sure there is none would believe, that he could make up an Account where Blood and Miſ-

chief

chief had made the Ballance ſo heavy on the Debtor's ſide: Can it therefore deſerve any better Name than a pretended Account? Theſe unworthy Attempts, to caſt ſuch groundleſs Scandals of ſo high a Nature, had merited another ſort of Anſwer, if the Author's Name had been fix'd to his Malice: and ſeeing how little cauſe has been given for it, I cannot but ſay, that in all other Writers I have ſeen ſome Endeavours to carry on their Diſcourſe by a Stream of Reaſon; but this nameleſs Author only pours forth a Kennel, which I am weary of raking into.

And he ſeaſonably relieves me: for in this Place, in his full Career, he makes a ſudden ſtop, and ſays, *But I muſt remember that I am anſwering your Letter, and not Sir* R's *Preface.*

I ſhall only obſerve, that he that has ſnarled with ſo little cauſe, and ſhewed ſuch venemous Teeth, would probably have bit if he could; and he that has ſo paſſionately tried to wound in other things, would certainly have attempted, if he had Forces enough, to have obtained a

Victory,

Victory, where the whole Cauſe was concern'd

Sir, You had received this ſooner, but my Indiſpoſition has been ſo great, and my Averſion to Quarrels of this Nature, where Paſſion and Animoſity, inſtead of Reaſon and Juſtice, guide the Argument, are Cauſes ſufficient to excuſe this Delay: And I believe the Gentleman's Arguments will as little prevail upon the World, as they have done upon me, to be leſs than I was,

SIR,

Your aſſured Friend,

and humble Servant,

Ro. Howard.

Sir

Sir *Robert Howard's*

PREFACE

To his HISTORY of

K. *Edw.* 2. and *Rich.* 2.

I Was much ſurpriz'd to ſee an imperfect Copy of this ſteal into Publick, far from my knowledg or intention: for I was ſenſible it wanted Conſideration in point of Hiſtory. There were many material Things which I intended to have added, and others to leave out as unneceſſary to my Deſign. Conſidering therefore that my beſt and moſt correct Performances could hardly challenge Merit, I thought it juſt to my ſelf and others, to endeavour that they might need the leaſt Pardon; and that my owning now the publiſhing of this, may rather be look'd

upon as an effect of Neceſſity than Confidence.

The Scheme of this was digeſted in the Year 85, I being very much affected with the Conſideration how the Errors of ill Adminiſtration produc'd the ſame fatal Effects upon thoſe unhappy Princes, *Edward* and *Richard* the Second, the weight of whoſe ill Conducts was heavy enough to ſink the proſperous and lofty Condition their two glorious Predeceſſors, *Edward* the Firſt, and *Edward* the Third, had left the Kingdom in.

Nor was their reſembling Ruine more obſervable, than the Cauſes of it. Their Predeceſſors applied all their Glories and Succeſſes, to give, as it were, Luſtre and Power to the Laws: theſe two unfortunate Princes attempted only by mean Practices to ſubdue them, and their own People. Thoſe great Princes, *Edward* the Firſt, and *Edward* the Third, might fix their Favours and Kindneſs on the People, ſince they parted with no Power to Miniſters and Favourites; 'tis that which ever did, and ever will breed a Diſtruſt in the People, enough to

ſhake

ſhake all Confidence in their Prince; and 'tis but natural it ſhould have ſo fatal an Operation, ſince the true Intereſt of a King differs totally from theirs; his beſt and ſecureſt Happineſs is founded on the Peoples Good; their Intereſt and Ambition muſt be ſupplied by their Oppreſſion. This is the ſeldom-failing Cauſe that has made all Princes unkind to their People, that inveſt Miniſters with their Power and Affections: and I am confident there are but few Stories that have given an account of a Prince ſo reſign'd to others, but have likewiſe told of his Misfortune involved in theirs. That Power and Intereſt which a King ought to have, is not uſeful to them; and rather than ſuffer him to tread in publick Paths, they perſwade him to follow the miſguiding Meteor of Arbitrary Power.

I alſo conſidered the Proceedings of the Government in the latter part of King *Charles* the Second's Reign, and the ſhort Reign of King *James* the Second, and perceived how exactly they followed the ſteps of theſe two unfortunate Kings, and I then

expected to ſee a Revolution reſembling theirs.

When King *Charles* had prepared things ready for Popery and Slavery, he ſeemed no longer uſeful to thoſe that eagerly waited to aſſume that Power that the Papiſts had guided him to make ready for them: and as his Actions were like thoſe miſguided Princes, I believe his Death as much reſembled theirs, and was equally as violent.

There was not a particular Action of any note of theſe two late Kings, that did not ſeem copied from thoſe two unfortunate Princes; the Intereſt of *England* proſtrated to that of *France*; the murdering of great and conſiderable Men; the violent ſeizing the Rights and Liberties of the City of *London*; the *Quo Warranto's* on Corporations, conſequently on the Nation; Laws proſtrated to the King's Will, *Weſtminſter-Hall* fitted with proper Judges for that Deſign. And as in King *Richard* the Second's time, by reſolving the Queries of the Earl of *Suffolk*, the Judges made the King the ſole Judg, not only of Law, but

but whether there ſhould be any Law or no, and the Offence againſt his Will became the only Treaſon: ſo the apt Judges of the *King's-Bench* in the Caſe of Sir *Edward Hales*, reſolved the ſame, though in another manner; but in a more ſeeming abſtruſe way, as if they endeavoured to ſhew Modeſty in Nonſenſe. Firſt they declar'd the Laws were the King's Laws, and in caſe of Neceſſity the King was to judg of thoſe Laws; and then that the King was Judg of the Neceſſity. And laſtly, (as my Lord *Coke* ſays) to bring the worſt Oppreſſion upon us, which is done by the colour of Juſtice, they did not only attempt to corrupt the Law by poiſon'd Judges, but by packing Parliaments, endeavour'd to confirm the begun Slavery by Statute-Law.

There was only one ſort of Miſchief, and the greateſt, that thoſe two unfortunate Princes had no occaſion to be equal in with our two late Kings, eſpecially King *James*; for they being then of the ſame Religion with the People, could not endeavour the ſubverting of it, ſo that K. *James*

had a peculiar Tyranny to exceed them in. This threatning Storm upon the Souls of Men, was providently foreſeen by the Parliaments of *Weſtminſter* and *Oxford*, who therefore preſs'd the Point by a Bill of Excluſion, to ſecure themſelves againſt a Popiſh Succeſſor. I was a Member of both thoſe Parliaments, wherein the Debates ſeem'd to me very clear, and almoſt unanimous, and they were too well juſtified by the Popiſh Succeſſor when he came to the Crown; for he made good the Foundation of their Opinions and Apprehenſions, that ſuch a one could never defend a Faith that was contrary to his, or be a Father to thoſe he believ'd no Sons of God; as if it were poſſible that his Concern ſhould be for their Liberties, that his Opinion had delivered up to eternal Slavery.

The truth of this appearing by his Actions, has (by this time I hope) bred a repenting Conſideration in ſuch as ſtrenuouſly ſupported that which was ſo near bringing a Ruin on us all: and had not this King brought us ſuch a timely Redempti-

on,

on, we had practiſed *Paſſive Obedience* againſt our Wills, and in our Souls and Bodies felt the Miſery of that Doctrine, the Encouragement of Deſtruction.

But yet we ſee a Hiſtory of this Doctrine of *Paſſive Obedience*, new put forth, which is no better than an Arraigning this preſent Government, and all thoſe that contributed to this happy Change, which ſhews as if there were ſome that would rather ſee the violent Deſtruction of their own Religion, than diſturb the quiet Settlement of Popery; as if it were more Religious to ſuffer God not to be worſhipp'd, than to pull down an Idol ſet up by a King, as if we were to believe he had a divine Right to conſecrate Idolatry: but I leave that zealous Hiſtory under the Execution it has receiv'd from the Excellent Mr. *Johnſon*, in his ſhort Reflections upon it, which can receive no greater a Character, than to be like himſelf, and his other Writings, both which were victorious in the midſt of all his barbarous Perſecutions. And as the Nation receiv'd the benefit of

his Writings and Example, I doubt not but he will ſhare a Reward proportionably to the Aſſiſtance he gave to their Redemption.

It will not be improper therefore to conſider the Caſes of thoſe two Princes, *Edward* and *Richard* the Second, who were depoſed by the People in their Repreſentatives, preſuming they had a Right to re-aſſume that Power which was derived from them, when any Prince forfeited the Truſt they had placed in him, and acted contrary to his Executive Office; and they expreſly declared to King *Edward* the Second, that if he did not freely conſent to a Reſignation, they would not elect his Son *Edward*, but ſuch a one as might be proper for the Good of the People, tho no Relation to his Blood: and the King returned his Thanks, That ſince they had taken ſuch a Diſpleaſure againſt him, that they would yet be ſo kind to his Son. Nor has this Electing of Kings been ſo unuſual in *England*, ſince ſeldom any Government has had more broken Succeſſions.

But

But before I proceed to ſhew how this Right was, and continues in the People, I will take leave briefly to ſhew what a Prince is according to their Doctrines, that have with an unlimited Zeal aſſerted *Paſſive Obedience*, and the Laws to be only the Properties of a King's Arbitrary Will.

I remember when *Julian the Apoſtate* came out, many of the Clergy ſeem'd very much diſturbed; and as I was informed, there was a Club that aſſiſted the Anſwer to it, called *Jovian*: I mention this, that when from thence I ſet down the Poſitions of that Doctrine of *Paſſive Obedience*, they may be look'd upon as the ſharpeſt Arrows they could draw from all their Quivers; and then if any Weakneſs or Contradictions appear in them, methinks the War ſhould be at an end, when the Joint Forces under a choſen Hector are defeated, and the Rout and Diſorder comes from their own Opinions, that fall foul upon one another.

In many Places of *Jovian*, an unlimited *Paſſive Obedience* is preſcrib'd as a general Remedy in all Publick Diſ-

Diſeaſes; that is, Deſtruction is the beſt *Recipe* againſt Deſtruction, and the Diſeaſe is to become the Cure. But the Author having heard of ſuch a thing as Laws, and not knowing how to put them out of the way, to make room for this Doctrine, which makes a Deſtroyer lawful, he finds out a Diamond to cut a Diamond, and a Law never heard of, to deſtroy the known Laws, in theſe ſublime Words.

The Political Laws are made to defend the Rights of the Subject; but in caſe the Soveraign will Tyrannically take away a Subject's Life, againſt the Political Laws, he is bound by the Common Laws of Soveraignty not to reſiſt him, or defend his Life againſt him by force.

It is to be obſerv'd, that here are two ſorts of Law, God's Law, and the Devil's Law: that which ſupports and defends Right, is God's Law; that which takes away Life unjuſtly, is the Devil's Law; for he was a Murderer from the beginning.

But Contradictions are ſo frequent in that Diſcourſe, that I do not wonder to ſee the zealous Author ſhew one

one in his own particular; and incogitantly perhaps, profeſs a violent Reſolution to break his own ſacred Rule of *Paſſive Obedience*: For, I ſuppoſe, if a Woman ſcolds, and gives hard Names, ſhe is not Paſſive, for then *Billingſgate* is Paſſiveneſs incorporated: And I ſhall deſire the Reader to judg whether there be much difference in theirs, and our Author's active Tongue-Aſſault; for he loudly cries out with a very ſharp Excurſion, *That he ſhould rather think it his Duty, than the breach of it, to tell, not only a Popiſh Prince, but a Popiſh King to his Face, did he openly profeſs the Popiſh Religion, That he was an Idolater, a Bread-Worſhipper, a Goddeſs-Worſhipper, an Image-Worſhipper, a Wafer-Worſhipper,* with an *&c.* as if he had more Names in ſtore for him.

But I muſt do the Author right, to let the Reader know, that *Jovian* was written when King *James* the Second was Duke of *York*, and had not declar'd himſelf a Papiſt; and perhaps he thought he would never have done ſuch a raſh thing: but yet for fear of the worſt, the Author retreats to his

Doctrine

Doctrine of *Paſſive Obedience*, from this dangerous Sally he had made with an unadviſed Boldneſs; and then tells us, 'tis reaſonable to depend on the Conſcience of a Popiſh King; and ſeemingly returns to a modeſt Repentance, that he had expreſs'd ſuch a Diſpleaſure againſt one that worſhipped more Gods than one; for after this terrible muſter of hard Names, he falls back as he was, and pays ſuch a profound Devotion to *Paſſive Obedience*, that now he ſeems to extend it even to Thoughts, as not to think ill of his own rail'd at Idolater: this, I ſuppoſe, may be called forward and backward, or to blow hot and cold in the ſame breath, to make the Contradictions appear plain enough.

This Opinion yet he ſticks moſt to, if you will truſt him as much as he adviſes you to truſt the Idolater, and tries to give you a Reaſon for it; for he ſays, *That Suffering, as in the Caſe of the* Thebean Legion, *can never happen in* Great Britain; *we of theſe Kingdoms having ſuch Security againſt Tyranny as no People ever had.* I ſuppoſe he forgets his own Poſition, and means

means a Truth that he before deſtroyed; the Security he means, if he can mean any, after he has taken away all, muſt be the Political Power, that is, the Laws. Can any Man have the Charity to believe, that he could think he propoſed any Security from Laws, that had ſet up an *Imperial Power*, or *Soveraign Law*, as he calls it, (which is the *Will of a King*) to take them all away, if he pleaſes? He might as well tell us of a Security by certain Deeds, to all which were fix'd Revocations, and yet would have us depend on ſuch Arbitrary Settlements, without Right or Power to oppoſe thoſe Revocations: thus the continued Contradictions appear that mingle with ſuch Notions. A Man that ſtutters much in his Speech, is hardly to be underſtood; but ſuch an exceſſive Stammering in Writing, makes it much harder to gueſs what a Man means.

But in another place he gives us an additional Reaſon for truſting, and to deter us from examining a Tyrant's Actions, or oppoſing the Imperial, that is, Arbitrary Power; which is,

That

That a King is accountable to none but God.

To make good this Opinion, he quotes ſome of the Church-of-*England*-Divines, and of the Reformed, *Bochart* a French-man, whoſe Authority he often repeats. As to theſe of the Church of *England*, Mr. *Johnſon* has fully anſwered that, and quoted Statutes enough, and Judgments of Convocations in Queen *Elizabeth*'s Time, that aſſert and ſupport a contrary Doctrine to this unlimited *Paſſive Obedience*; for they approved the Reſiſtance of thoſe in *Scotland* and *France*, who actively, and by force, attempted to defend their Religion and Liberties. I ſhall only add the Precedent of King *Charles* the Firſt, reputed the Church of *England*'s Martyr: He was of the ſame Judgment with the Church and State in Queen *Elizabeth*'s time, witneſs that Buſineſs of *Rochel*, who took Arms upon the ſame account, and received Aſſiſtance from him, which approved an active Oppoſition againſt the Oppreſſion brought on their Religion and Liberties.

But

But I find not only our Author, but he that writ the Hiſtory of *Paſſive Obedience*, is a great Admirer of *Bochart*, calling him the Glory of the Reformed: and having quoted many of the Church-of-*England*-Divines, he then, as well as *Bochart*'s Letters to Dr. *Morley*, quotes ſome other of the Reformed Divines. But though I do not think this Cauſe depends, as Mr. *Johnſon* ſays, upon telling Noſes; yet I will ſet down in the Margent, that I may not interrupt my Diſcourſe, the ſeveral Opinions of eminent Reformed Divines, which the Author of the Hiſtory of *Paſſive Obedience*, being ſo induſtrious to ſearch Opinions, muſt probably omit, as not being uſeful for his buſineſs: and indeed there are very few Arguments that may not be ſupported with Opinions; for Flattery, Deſign, or preſent Intereſt, has cauſed more Opinions than the true & juſt Rea-

Zuinglius, Tom. 1. Art. 42.

When Kings reign perfidiouſly, and againſt the Rules of Chriſt, they may according to the Word of God be depoſed.

I know not how it comes to paſs, that Kings reign by Succeſſion, unleſs it be with conſent of the People.

When by conſent of the whole People, or the better part of them, a Tyrant is depoſed, or put to Death, God is the chief Leader in that Action.

ſon

Calvin on *Daniel*, ch. 4. v. 25.

In theſe Days Monarchs pretend always in their Titles, to be Kings *by the Grace of God*, which they pretend, that they might reign without Contract; for to what purpoſe is the *Grace of God* mentioned in the Title of Kings, but that they may acknowledg no Superiour? So it is therefore a mere Cheat, when they boaſt to reign by *the Grace of God.*

Abdicant ſe terreni Principes, &c. Earthly Princes depoſe themſelves, while they riſe againſt God.

Bucer on *Matth.*

If a Soveraign Prince endeavours by Arms to defend Tranſgreſſors, to ſubvert thoſe Things which are taught in the Word of God, and bears himſelf not as a Prince, but as an Enemy, and ſeeks to violate Priviledges and Rights, granted to Inferiour Magiſtrates, or Commonalties, *&c.* they ought to defend the People of God, and maintain thoſe things which are good and juſt: For to have Supream Power, leſſens not the Evil committed by that Power, but makes it the leſs tolerable, by how much the more generally hurtful.

Peter Martyr on *Judges*, c. 3.

Approves the Proceedings of the Parliament againſt *Richard* the Second.

ſon of the ſubject Matter could ever allow.

But if we ſhould build a Confidence on this Foundation, and the Prince be ſuch a one, as either does not believe, or conſider there is ſuch an Account to be made up, we ſhould be miſerably deceived. And it hath not been frequently known, that a Prince has liv'd as if he ever apprehended any Account in the other World, to be given of his Actions in this: all theſe Doctrines are but inſinuating Flatteries to make Princes forget Men; for the Service of God can hardly be performed by the Neglect of Men.

But

But if the Author would have us believe that a King is accountable to none but God, he ought to explain himſelf to us in the particular of K. *James* the Second, a profeſt Papiſt, and tell us to which of all his Gods he is to be accountable for our Good, whether to a piece of Bread, a Wafer, an Image, a Goddeſs, or to all. I could not have been ſo ingenious, as to make his own Poſition ſo ridiculous, as he himſelf has contrived to do it; but in it ſelf it appears a very ſtrange Doctrine, *to truſt to the Account a Popiſh King is to make with his God, for thoſe he believes his God will*

Pareus on the *Romans*.

They whoſe part it is to ſet up Magiſtrates, may reſtrain them from outragious Deeds, or pull them down; but all Magiſtrates are ſet up either by Parliament, or by Electors, or other Magiſtrates; they therefore that exalted them, may lawfully degrade and puniſh them.

Fenner Theo.

They who have Power, that is, a Parliament, may either by fair means, or force, depoſe a Tyrant.

Guilby de Obe.

Kings have their Authority of the People, who may upon occaſion reaſſume it.

Goodman *on the ſame Subject.*

If Princes do right, and keep promiſe with you, then do you them all humble Obedience; if not, you are diſcharg'd, and your Study ought to be in this caſe, how you may depoſe and puniſh according to the Law, ſuch Rebels againſt God, and Oppreſſors of their Country.

Chriſt. Goodman and *Fenner*, were two that fled from the bloody Perſecution in Q. *Mary*'s Days, and this *Goodman* had preach'd many times upon the Doctrine concerning Obedience to Magiſtrates, which he was deſired to publiſh in a Treatiſe; as is teſtified by *Whittingham* in the Preface.

damn.

damn. 'Twould ſeem as rational for a Man to take an Eſtate to hold by the Life of a Man, that he believed was to be certainly executed.

There is another as rational a Propoſition to incline us to believe and depend on this Doctrine of *Paſſive Obedience, That Subjects to have a right to judg when they may reſiſt or withſtand their Soveraign, is a thouſand times more inconvenient and pernicious to Humane Society, than patiently ſubmitting to the abuſe of Soveraign Power.*

And in another place confirms this with a Notion of a very high ſtrain, telling us, *that a Popiſh Succeſſor*, or give him what Character you pleaſe, nay, let him be a *complicated Tyrant, a* Pharaoh, Achab, Hieroboam, Nebuchadnezzar, *all in one; nay, let the Spirit of* Galerius, Maximin, *and* Maxentius *come upon him; yet*, he is ſure, *it will coſt fewer Lives and Deſolation, to let him alone, than to reſiſt him.*

This Author is very apt to be fierce and lofty in his Expreſſions; as if Noiſe would be more prevalent than Reaſon. Before, he muſtered up

Falſe

Falſe Gods that a King worſhipped; and now muſters up as many Tyrants to mould into one King: And yet ſuch an Idolater and complicated Tyrant, is not capable to do as much Miſchief, as oppoſing him will cauſe. He could have invented but one ſtrain higher for the Cauſe of *Paſſive Obedience*, by adding the Devil to the Idolater and complicated Tyrant, and then our *Paſſive Obedience* had been to ſubmit, to what in Baptiſm we promiſed to fight againſt, the World, the Fleſh, and the Devil: And the Poſition holds as true in relation to him, as ſuch a Prince, that it were the cauſe of more Miſchief to oppoſe the Devil, than to ſubmit to him.

Dr. *Sherlock* expreſſes this more modeſtly, That *Non-Reſiſtance is the beſt way to ſecure the Peace and Tranquillity, and the beſt way for every Man's private Defence; for Self-defence may involve many others in Blood, and beſides, expoſes a Man's ſelf.* And in another place tells us, *'Tis the beſt way to prevent the change of a Limited into an Abſolute Monarchy.*

This is not to prove the Doctrine of *Paſſive Obedience*, but the Benefit of it; and in ſome meaſure it may poſſibly be true, that weak and particular Defences or Oppoſitions, may rather bring Deſtruction upon ſome, than ſave all; but a Nation cannot fall under that Danger, that unitedly defends its own Religion and Laws. On the other ſide, the paſſive Submiſſion to ſuch a complicated Tyranny, muſt more probably hazard the Subverſion of Religion and Laws, and conſequently Freedom and Property. And indeed 'tis a ſtrange Aſſertion, that all theſe Qualities joined in one Man, cannot do as much Miſchief, as a Nation's oppoſing the Ruine that he would bring upon them: which reſolves into this Abſurdity, that if they have a Right to relieve themſelves, yet 'tis unwiſe to attempt it, for fear of cauſing that which would certainly be done without it.

But theſe Poſitions have been ſufficiently confuted by ſeveral Tyrants, who have deſtroyed as much as they could have done, had they been enraged by any unſucceſsful Oppoſition:

on: And at this very inſtant, the King of *France* may convince any one, that there was hardly more Cruelty to be committed, than has been acted by him. He had corrupted moſt of Chriſtendom to this prudent Paſſiveneſs, by which he was capable to bring more Ruine on his own and other Kingdoms, than he would ever attempt to have done, had he been oppoſed; and the *Paſſive Obedience* that was ſhewed at firſt to his growing Tyranny, did not prevent, but cauſe the change of a Limited into an Abſolute Monarchy: ſo that on the contrary, the Doctrine of *Paſſive Obedience* ſeems calculated for the Meridian of Tyranny.

I hope this Argument will be yet more confuted by the Benefit Chriſtendom will receive by the oppoſing that Tyrant, whoſe Perſecution of Chriſtians, and burning Countries, does not yet ſeem to the Aſſerters of *Paſſive Obedience*, to be Miſchief enough, to allow that an unreſiſted Tyrant cannot do as much, as will probably happen by oppoſing him. Certainly if the Deſtruction the King

of *France* has made, do not convince them, 'tis only that Miſchief is not Miſchief, if done by a King.

But Dr. *Hicks* ſays, *That the Laws of all Governments allow every Man to defend his Life againſt an Aſſaſſine* (by which he ſhews his Imperial Law is no Law of Government.) And Dr. *Sherlock* tells us, *No Man can want Authority to defend his Life againſt him that has no Authority to take it away.*

By this confeſſion of the two Learned Doctors, the Point ſeems to be clear'd; for an illegal Aſſaſſine, and one that has no lawful Authority to kill, is, I ſuppoſe, all one; and whatever is acted or done in ſuch a nature againſt Law, is Murder; ſo that all that is done againſt Law, may be rightfully oppoſed. For ſurely they cannot mean (though they ſpeak in the ſingular Number) that it is lawful to oppoſe one Man that acts againſt Law, and not many; that is to ſay, a lawleſs Proſecution, if by many, is not a lawleſs Proſecution: and if Dr. *Hicks*'s Diſtinction be brought in aid, *That the Imperial Power may make a lawleſs*

lawleſs Attempt or Proſecution lawful, then his illegal Aſſaſſine may be a lawful Executioner: ſo that 'tis reduced to this Demonſtration, That their Poſition is either Nonſenſe, or a direct Confutation of their own Doctrine.

I will only add one Confutation more, that Dr. *Sherlock* gives to this Doctrine, which is in his own words; *That every Man has the right of Self-preſervation as entire under a Civil Government, as he had in the ſtate of Nature.*

This is a great Truth; but if it be ſo, their Doctrine muſt be falſe; for in the ſtate of Nature, no Man owes a ſubmiſſion to another; for being under no Covenants or Obligations, he remains free from Subjection, and is his own Judg, and cannot properly be judged by another. Now how theſe are to be reconcil'd, ſeems very difficult, I think I may ſay impoſſible; that a Man under Government ſhould pay *Paſſive Obedience* to every thing, and a Man in the ſtate of Nature not obliged to pay Obedience to any thing, and yet to have as equal a

Right to Self-preſervation in one Condition as well as another: For we are told expreſly, *That in caſe the Soveraign will Tyrannically take away the Subject's Life, he is bound by the Common Laws of Soveraignty not to reſiſt, or defend his Life againſt him by force.* Now in the ſtate of Nature, there is no Subject nor Soveraign; and therefore by the contrary, a Man may defend his Life againſt Violence. And what can be meant then, by having as much Right of Self-preſervation under a Civil Government, where we are told we muſt not preſerve our ſelves by force, as in a Condition where we are free and naturally oblig'd to do it? But in this, as in other intoxicated Conditions, where Men have imbib'd ſomething too ſtrong for them, in the midſt of their diſorderly Expreſſions, Truth will ſometimes break out, contrary to their Intereſt, and (perhaps) intemperate Deſigns.

But though I do not believe that the Reaſon of any thing is to be ſubmitted, becauſe ſuch or ſuch are of this or that Opinion; yet ſince I have

ſet

ſet down the Doctrine aſſerted in our Days, when the hazard of Religion it ſelf, did not ſeem to prevail above Flattery and Deſign; I will briefly ſhew alſo the Opinions of our Ancient and moſt Authentick Authors, which have been often quoted; and therefore I will be very ſhort in it.

I will begin with an Original Agreement in *Magna Charta*, printed by the preſent Biſhop of *Salisbury*; which declares, That if the King ſhould Violate any Part of the Charter, and refuſe to rectify what was done amiſs, it ſhould be lawful for the Barons and People of England, to diſtreſs him by all the ways they can think of, as Seizing his Caſtles, Poſſeſſions, &c.

According to which ſeems grounded the Opinion,

That a King is not a King, where his Will governs, and not the Law. Bracton.

For if a King's Power were only Royal, then he might change the Laws, and charge the Subject with Tallage, and other Burdens, without their Conſent. Forteſcue.

But

Bracton. But the King has a Superiour God, alſo the Law, by which he is made King.

K. *Edw's* Laws. For a King is conſtituted, that he ſhould govern the People of God, and defend them from Injuries, which unleſs he performs, he loſes the very Name of a King.

Forteſcue. From that Power which flows from the People, it is not lawful for him to Lord it over them by any other Power, that is, a Political, not a Regal Power.

Bracton. Let Kings therefore temper their Power by the Law, which is the Bridle of Power.

Grotius de Jur. Bell. ac Pac. *So that the right underſtanding of this Law of Reſiſting, or not Reſiſting, in Caſes of Neceſſity, ſeems to depend on the Intention of thoſe that firſt entred into Civil Society, from whom the Right of Government is devolved on the Perſons governing.*

Certainly no Civil Society ever made a Contract with intention to be oppreſs'd or deſtroyed; and he there obſerves, that *Men did not at firſt unite themſelves in Civil Society by any ſpecial Command from God, but for their own*

own Safety, to withſtand Force and Violence; and from this the Civil Power took its riſe.

I will now proceed to a more proper way of Argument than Quotations; and briefly conſider the Reaſon of Government, and the neceſſary Conſequences, in reſpect of the Conditions of the Governing, and the Governed; and as a Builder that deſigns to build ſtrongly, I will uſe a Foundation laid by that excellent Architect Mr. *Hooker*, in his *Eccleſiaſtical Polity*.

I will faithfully tranſcribe his Words; and though not join'd together in his Diſcourſe, yet the Reaſon is ſo ſtrong that guides an Argument of this nature, that it has naturally its own Cement and Connexion, which will appear in theſe following Words.

'Preſuming Man to be, in regard 'of his depraved Mind, little better 'than a wild Beaſt, they do accor-'dingly provide notwithſtanding, ſo 'to frame his outward Actions, that 'they be no hindrance to the Com-'mon Good, for which Societies are 'inſtituted; unleſs they do this, they 'are not perfect: it reſteth therefore,

'that

'that we conſider how Nature finds
'out ſuch Laws of Government, as
'ſerve to direct even Nature depra-
'ved, to a right End.

'To take away all ſuch natural
'Grievances, Injuries and Wrongs,
'there was no way but growing into
'a Compoſition and Agreement a-
'mong themſelves, by ordaining ſome
'kind of Government Publick, and
'by yielding themſelves ſubject there-
'unto, that unto whom they granted
'Authority to rule and govern, by
'them the Peace, Tranquillity, and
'happy Eſtate of the reſt may be pre-
'ſerved.

'Men always knew, that when
'Force and Injury was offered, they
'might be Defenders of themſelves;
'they knew that however Men may
'ſeek their own Commodity, yet if
'this were done with Injury to o-
'thers, it was not to be ſuffered, but
'by all good Men, and by all good
'Means to be withſtood.

'Impoſſible it is that any ſhould
'have compleat Lawful Power, but
'by Conſent of Men, or immediate
'Appointment of God; becauſe not
'having

'having the natural Superiority of 'Fathers, their Power muſt needs be 'either uſurp'd, and then unlawful; 'or if lawful, then conſented unto by 'them, over whom they exerciſe the 'ſame: They ſaw that to live by one 'Man's Will, became the cauſe of all 'Mens Miſeries; this conſtrained 'them to come into Laws.

'The Lawful Power of making 'Laws to command whole Politick 'Societies of Men, belongeth ſo pro-'perly unto the ſame entire Societies, 'that for any Prince or Potentate of 'what kind ſoever upon Earth, to 'exerciſe the ſame himſelf, and not 'either by expreſs Commiſſion im-'mediately and perſonally received 'from God, or elſe by Authority de-'rived at the firſt from their Conſent, 'upon whoſe Perſons they impoſe 'Laws, is no better than mere Ty-'ranny.

'Laws they are not, therefore, 'which Politick Approbation hath 'not made ſo; but Approbation not 'only they give, who perſonally de-'clare their Aſſent, by Voice, Sign 'or Act, but alſo when others do it

'in

'in their Names, by Right originally derived from them, as in Parliament, *&c.*

Thus ſtrengthened by this great Man, to whom the Church of *England* has juſtly paid a particular Veneration, I ſhall with the more confidence proceed to do the Nation Juſtice, and begin with thoſe granted and undeniable Principles, That the Authority, Power and Right of Self-Defence and Preſervation, was naturally and originally in every individual Perſon, and conſequently united in them all, for Eaſe, Preſervation and Order; but every one could not be a Governour and Governed: and without Agreement where to fix a uſeful Power, to execute ſuch convenient Agreements or Laws, as ſhould be conſented to for their own Good and Benefit, they could not be ſafe againſt one another; for if Intereſt and Appetite were the free Guides, without the check of any Law or Puniſhment, Mankind muſt be in a ſtate of War, and deſtroying one another, the certain Conſequence of that Condition;

dition; for Faith and Juſtice in all, could not be depended upon to be ſufficiently binding, unleſs Men had no depraved Natures, but had been endued with ſuch Original Vertue and Juſtice, that they were as ſure and careful of their mutual Preſervations, as Laws, or the fear of Puniſhment could oblige them.

For this reaſon were Laws invented, and conſented unto; and 'twere a fatal Abſurdity, if the Cauſe was for Preſervation by the Power of ſuch Laws, that thoſe Laws ſhould have no Power to limit or confine the Authority of Him or Them that were choſen to govern by the Conditions contained in them; for otherways the Miſchief was but chang'd, and they that out of a reaſonable apprehenſion had bound themſelves from oppreſſing one another, ſhould give unlimited Power to others to do it, if they pleas'd: ſo that unleſs this ridiculous Suppoſition could be granted, it muſt be acknowledged of conſequence, that though the Magiſtrate was ſet above the People, yet the Law was ſet above the Magiſtrate: For

where

where any thing is to be obſerved and obeyed, there a perfect Superiority is acknowledged.

Whoever therefore is ſet up to govern by theſe Rules and Covenants, muſt of conſequence have only an Executive Power committed to him by the People. It has ever been acknowledged by all Common-wealths, that their Power is derived from the People: And why ſhould it not be acknowledged, that a King has the ſame derivative Power? They that would argue againſt this, ſhould be well furniſhed with plain Texts of Scripture, to prove that the Government by Kings was more favour'd of God, than any other Government; and that a King was in a ſpecial manner (not found among Men, but) dropp'd down from Heaven to govern a People intentionally created for him, and he therefore accountable to none but GOD.

But this, I ſuppoſe, will be very hard for the moſt willing Flatterers to find out; but the contrary appears frequently in Scripture: *David* firſt made a Covenant with the Elders of *Iſrael.*

Iſrael. And when *Jehoaſh* was made King, *Jehoiada* the Prieſt made a Covenant between him and the People: but ſome of our paſſive Zealots would have ſuch Covenants to be void in themſelves, and yet acknowledg it an Offence not to obſerve them; but the Offence muſt be anſwerable to God, not to Man: which is only Doctrine for encouragement of Sin, to invite good Princes to grow bad, and make a Religious Duty the ſecurity of Tyrants.

Power ſeldom permits Religious Thoughts to prevail, or the unpleaſant remembrance of what's to come after this Life: And if a King either forgets, or does not believe a Future Judgment; and perſwaded by ſuch *flattering Doctrines* to be ſo like a God, as to be **Unqueſtionable** here, he muſt look upon his Subjects as his Slaves, and their *Goods* his *Chattels*, and their *Inheritances* his *Eſtate*: ſo that Laws are unneceſſary for Preſervation or Puniſhment, ſince his unqueſtioned Will may ſave or deſtroy. For if Laws and Compacts were of force, 'twere equally juſt and legal, that if

for Offences againſt them, the Subject ſhould forfeit for himſelf, that the King for the violation of the ſame Laws ſhould forfeit as well.

If it ſhould be urg'd, that an Oath is taken as the only Security, that is begging the Queſtion, it may be as a farther Security; but the Original and *never-to-be-ſeparated Rights* of thoſe from whence Power was derived, muſt be the ſureſt: for there is no danger but from the Bad, and they are more apprehenſive of Puniſhment in this World, than the remote Terrors of the other. And if an Oath were ſufficient Security, why are not all Magiſtrates ſufficiently obliged, and we ſecured by ſuch Obligations, and ought not as well to be liable to any Account or Puniſhment in this World? But this they will allow to be ridiculous, for Magiſtrates may be wicked and corrupt, and their Oaths no Security againſt the Oppreſſion or Deſtruction of many: but this juſt Reaſon muſt not extend to Kings, tho Tyrants, for they, it ſeems, have a Divine Right to be wicked, and oppreſs or deſtroy a Nation by Arbitrary Power.

As

As to the Point of Divine Right, certainly it muſt be fix'd, and ariſe from ſomething. Naturally every Man has alike a Divine Right to his Life, Freedom and Eſtate; but theſe, by the Pact he has made, may be forfeited by offending againſt thoſe Laws he had covenanted to obey; and by reaſon of that Pact, a King has a Divine Right, which is affix'd to all Contracts. Now if there were no Contract, nor Office in a King, in what can he have a Divine Right? If it be annex'd to Name or Power abſtractedly, without thoſe Conſiderations, then Force or Violence gaining Power and Name, is attended preſently by Divine Right; and the deſtruction of our Religion and Laws, Murder and Rapine, may be conſecrated by Divine Right, inſeparable from Power, whether juſt or unjuſt: and if *Paſſive Obedience* and *Non-Reſiſtance* be ſacredly to be paid to all this, that Divine Right we have to our Lives and Properties, may be taken away by this Divine Right.

But God has pronounced temporal Judgments frequently in Scripture a-

gainſt Tyrants and wicked Kings, for oppreſſing and deſtroying the People. *Ahab* by colour of Law (the worſt ſort of Tyranny) found out two falſe Witneſſes to ſwear Blaſphemy againſt *Naboth*, that he might forfeit his deſired Inheritance; for which *Ahab* forfeited alſo his Succeſſion: and the Reaſon is plainly expreſt by the Prophet *Elijah* to him, *Thou haſt killed, and taken poſſeſſion.* And how does it appear that God has altered ſuch Determinations, and now by a Right from him, made all Wrong unqueſtionable in this World? *Samuel* ſlew a King, and gave *Tyranny* for the Reaſon, *Becauſe he had made Women childleſs*; and did not reſpite his Puniſhment, till he had made his Account with God. He ſeemed of the Opinion that *Seneca* the Tragedian makes *Hercules* declare:

—Victima haud ulla amplior
Poteſt, magiſq; Opima mactari
Jovi
Quam Rex iniquus—

In the Hiſtory of *Paſſive Obedience*, there

there is a very learned Man quoted, that calls the Contract between King and People, an Implicit Contract; but he might have been pleaſed to call this Doctrine of *Paſſive Obedience*, more properly an Implicit Doctrine, ſince 'tis grounded more upon their own Imagination, than Reaſon or Scripture; and the Texts need be very plain, to ſhew that Divine Right in the Perſon of any Man, from whence they derive the Paſſive Duty, Religiouſly to ſuffer the Deſtruction of Religion, and juſtly to obey Violence and Injuſtice, to encourage Tyranny, and zealouſly promote Slavery.

In that Author I find alſo a Queſtion, which they preſume very weighty; How the People having once parted with their Power, came to reſume it?

In my Opinion, any one that were govern'd by Reaſon, not ſo diſturbed as theirs, would wonder at ſuch a Queſtion; as if it were the ſame thing for a Man to grant Eſtates abſolutely, as under Conditions and Revocations: And ſo for the People to make a Contract expreſly, That ſuch a Man

ſhould

ſhould govern them by his Unqueſtionable and Arbitrary Will, without any Obligation; or that he ſhould govern them by Contract expreſt in Laws. And the Queſtion then more naturally ariſes on the other ſide, If People have never parted with any Power but Conditionally, how came they to loſe it Abſolutely?

There are few that will not allow Reſiſtance to be lawful againſt a Foreign Prince that invades us to make us Slaves, or againſt an uſurping Tyrant, that gets forcibly into Power; and yet another that is in the right poſſeſſion of Power, may turn a Tyrant, and we muſt paſſively ſubmit to the Miſchiefs he is pleaſed to bring on Mens Lives and Properties; as if a lawful Acceſſion to a Crown, can better juſtify the Violation of Right, than an Uſurping Power: For by that reaſon there is a Title of doing wrong, derived from the Right to a Power that was to protect from Wrong. If a Man ſhould ſeal Bonds in a Houſe where he had a rightful Poſſeſſion, is he therefore leſs liable to pay or perform Covenants, becauſe he had a

Right

Right to the preſent poſſeſſion of the Place where he was when he agreed and ſeal'd the Security? And by the ſame reaſon it appears, that the King of *France* has as much Right to govern us, as a King of *England* to govern us; for every Prince has equal Right to Slaves: for Power is all the pretended Right to Slavery. And if the Contract between King and People be implicit, there is certainly but an implicit Difference between Slaves and Subjects.

By this Religious Duty of *Paſſive Obedience*, equally paid to juſt and unjuſt, to legal and illegal Power, the Sacrifices offered to God are the perſwaſion to Tyranny, the ſecurity of Miſchief, the encouragement of Sin, the deſtruction of good Men, and the preſervation of the Bad; Laſtly, the juſtifying of Wrong by Divine Right, and a pretended Account to be made up only with God, to defraud his People of their juſt Rights here.

But I hope this late Happy Revolution has ſatisfied every undeſigning Heart beyond all Arguments, and

ſhewed

ſhewed the Falſeneſs of their Reaſons, as well as prevented the Miſchiefs of their Doctrine; ſince, contrary to their Aſſertions, we have ſeen Oppoſition with much leſs expence of Blood, than Submiſſion would have ſuffered to be ſpilt; and Arbitrary Tyranny changed into a Limited Monarchy.

FINIS.

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